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January 15, 2008

VIA ELECTRONIC & US MAIL

Ms. Alice Yeh
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

Re: Monthly Progress Report No. 8 – December 2007

Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)

CERCLA Docket No. 02-2007-2009

Dear Ms. Yeh:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On December 5, 2007, CPG participated in a conference call with EPA to discuss the contents of a December 4, 2007 e-mail regarding the fall 2007 Work Plan Addendum.
- On December 13, 2007, CPG attended a meeting of the Product Delivery Team (PDT).

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Correspondence

- On December 4, 2007, EPA sent CPG an e-mail requesting an update on the status of the MDL study for the HRMS/GC pesticide analytical method.
- On December 4, 2007, EPA sent CPG an e-mail describing the Partner Agencies' response on the proposed sediment grab sampling plan and additional comments on the fall 2007 Work Plan Addendum that was submitted on September 28, 2007.
- On December 10, 2007, CPG sent EPA an e-mail containing an update on the status of the MDL study for the HRMS/GC pesticide analytical method.
- On December 12, 2007, EPA sent additional Partner Agency comments on CPG's response to comments on the fall 2007 Work Plan Addendum.
- On December 14, 2007, CPG sent EPA a progress report for the month of November.
- On December 17, 2007, CPG sent EPA a request for information that would aid in the interpretation of the CARP model output.

Work

- CPG continued work on the revisions to the Fall 2007 Work Plan during this reporting period until EPA indicated in a December 4, 2007 e-mail that the Fall 2007 Work Plan Addendum (September 28, 2007) was not approved.
- CPG continued work on the MDL study for HRGC/MS method for pesticides.
- CPG continued its review of the CARP and LPR/NB models.
- CPG continued to work on the Draft Feasibility Study Work Plan.
- CPG continued development of a framework for conducting the risk assessments to be discussed during the first guarter of 2008 with the Partner Agencies.

(b) Results of Sampling and Tests

No sampling was conducted during the reporting period

Results of the second MDL study of the HRGC/MS method for pesticides were not complete at the end of the reporting period. This study will be completed during the next reporting period and submitted to the EPA.

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(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

As part of the development process for the Remedial Investigation, the EPA/Partner and CPG have agreed to conduct Scoping Meetings in late January or early February. Discussions will include the revised sediment sampling plan, other Field Sampling Plan (FSP) 1 and FSP 2 tasks as well as Feasibility Study and Risk Assessment planning,

(d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>

CPG anticipated initiating sediment grab sampling program in the fall of 2007. EPA/EPA disapproved this plan on December 4, 2007; a revised plan is now being developed with the intention of initiating sediment sampling program no earlier than April. A revised sediment sampling plan will be submitted in February following the Scoping Meetings for review and comment by the EPA/Partner Agencies.

The CPG is awaiting approval of the CPG's LPR/NB Modeling Team. No modeling tasks are proceeding other than review of CARP and LPR/NB models and supporting documents; the delay in start of modeling has implications for the overall project schedule, as modeling is a critical activity for the project.

A revised project schedule will be developed following the Scoping Meeting and consensus between the EPA/Partner Agencies and CPG on a path forward, but no later than May 1 consistent with EPA approval of the schedule.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

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de maximis, inc.

Willard F. Potter Project Coordinator

cc: Sarah Flanagan, EPA Office of Regional Counsel William Hyatt, CPG Coordinating Counsel

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> Megan Grubb, USACE Tim Kubiak, USFWS Reyhan Mehran, NOAA Janine MacGregor, NJDEP Dave Nakles, ENSR